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**Attorneys for Plaintiff**  
**Shoom, Inc., a Delaware corporation**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Shoom, Inc., a Delaware corporation,  
Plaintiff,  
vs.

Electronic Imaging Systems of America, Inc.,  
an Illinois corporation, and Roes 1 – 100;  
Defendants.

Case No. CV 07 05612 JCS

**PATENT**

**DECLARATION OF STEVEN A.  
NIELSEN IS SUPPORT OF REQUEST  
TO ENTER DEFAULT**

I, STEVEN A. NIELSEN, Declare and state as follows:

1. I am an attorney at the law firm of Allman & Nielsen P.C., counsel for Plaintiff Shoom, Inc. in the above-entitled matter. The facts stated herein are within my personal knowledge and if called upon as a witness, I could and would competently testify thereto.
2. On November 9, 2007, I caused a true and correct copy of the Summons and Complaint in this action to be personally served on Mr. Don O. Spagnolo, the agent for service of process for Defendant Electronic Imaging Systems of

America, Inc. ("eISA"). True and correct copies of the two proofs of service of the Summons and Complaint are attached collectively as "Exhibit 1".

3. As of this date, Allman & Nielsen P.C. has not received a response to the Summons and Complaint. Moreover, as shown by the docket sheet from this case attached as "Exhibit 2," no responsive filing has been docketed by the Court as of December 2, 2007.
4. Upon Plaintiff's information and belief, the defendant, being an Illinois corporation with its principal place of business in Rolling Meadows, Illinois, is neither an infant nor an incompetent person requiring special service in accordance with Rule 4(g), Federal Rules of Civil Procedure, and is not serving with the armed forces of the United States entitled to the protection of 50 U.S.C. App. Section 520.
5. Copies of this Declaration, with attachments and the Request to Enter Default have this date been served upon the defendant by regular mail, postage prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 3<sup>rd</sup> day of December, 2007 at Larkspur, California.

/s/ Steven A. Nielsen  
Steven A. Nielsen